

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 1.53(b)**

Pursuant to 37 CFR 1.53(b), please file a ☒ continuation/☐ divisional
of the pending prior PATENT APPLICATION of:

Inventor: NATHAN et al.

Serial No. 09/144,440

Filed: September 1, 1998

For: **SYSTEM FOR REMOTE LOADING OF OBJECTS OR FILES IN ORDER TO UPDATE
SOFTWARE**

Assistant Commissioner for Patent

Washington, DC 20231

Sir:

Atty Dkt.: 871-92

C# M#

Date: October 13, 2000

Group: 2762

Examiner: K. Booker

JC685 U.S. PTO



10/13/00

JC685 U.S. PTO
09/689726



This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):
Inventor(s): NATHAN et al.

- ☒ Attached is a true copy of the prior application as originally filed including the certified English translation and 19 pages of the French version specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.
- ☒ Priority is hereby claimed under 35 USC 119 based on the following foreign applications, the entire content of which is hereby incorporated by reference in this application:

<u>Application Number</u>	<u>Country</u>	<u>Day/Month/Year/Filed</u>
98 08296	France	21 July 1998

☐ certified copy(ies) of foreign application(s) attached or

☐ already filed on _____ in prior appln. no. _____

filed _____

☒ already filed in 09/144,440 filed September 1, 1998

- ☐ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.--

- ☒ The prior application is assigned to Touchtunes Music Corporation.

- ☒ Power of Attorney has been granted to Joseph S. Presta et al, Reg. No. 35,329 of Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Flr, Arlington, VA 22201.

- ☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

- ☒ Please amend the specification by inserting before the first line --This is a continuation of application Serial No. 09/144,440, filed September 1, 1998, now pending, the entire content of which is hereby incorporated by reference in this application.--

- ☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.

- ☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

- ☒ **PTO-1449 Forms**

- ☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee		\$	710.00
Total effective claims	3 - 20 (at least 20) =	0 x \$ 18.00	\$ 0.00
Independent claims	1 - 3 (at least 3) =	0 x \$ 80.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)		\$	0.00
	SUBTOTAL	\$	710.00
If "small entity," then enter half (1/2) of subtotal and subtract		\$(0.00)
	SECOND SUBTOTAL	\$	710.00
Assignment Recording Fee (\$40.00)		\$	0.00
	TOTAL FEE ENCLOSED	\$	710.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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JSP:mg

NIXON & VANDERHYE P.C.
By Atty: Joseph S. Presta, Reg. No. 35,329

Signature: _____